

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias

**Subfile No. CHNU-002-0002**

**ORDER GRANTING MOTION TO VACATE CONSENT ORDER**

THIS MATTER is before the Court on the Motion of the Plaintiff State of New Mexico, *ex rel* State Engineer ("State"), filed September 27, 2006 (Doc. No. 8395).

Having reviewed the Motion and being otherwise fully advised in the premises, I find the request to be well-taken, and that it should be GRANTED.


IT IS ORDERED, THEREFORE, that the Consent Order filed February 26, 2002 (Docket No. 6574) in subfile CHNU-002-0002 is vacated.

IT IS FURTHER ORDERED that the State and Defendants Lucia A. Montoya and Robert A. Montoya shall file a new Consent Order concerning the Defendants' right to use the public waters of the Rio Chama Stream System within 60 days of this Order.



BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

Recommended for approval:



SPECIAL MASTER VICKIE L. GABIN